

John Doe #47

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**United States District Court
 Eastern District of California
 Sacramento Division**

<p>19 ProtectMarriage.com, et al., 20 21 <i>Plaintiffs,</i> 22 v. 23 Debra Bowen, et al., 24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD DECLARATION OF REDACTED IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT Date: TBD Time: TBD. Judge England</p>
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 28 Declaration of **REDACTED** in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated **\$XXX** to the ProtectMarriage.com - Yes on 8, a
6 project of California Renewal.

7 4. In support of Proposition 8, I also placed a yard sign in my yard on a very busy main
8 street, put a bumper sticker on my car, and attended meetings about the ballot measure.

9 5. On October 14 or 15, 2008, someone stole the yard sign supporting Proposition 8 that I
10 had placed in my yard. To replace the stolen sign, I made my own substitute sign. A photograph
11 that I took of this substitute sign is attached as Exhibit A.

12 6. I obtained two more “Yes on 8” signs on October 19, 2008 - one for myself, and one
13 that I intended to give to someone else. I displayed one of the signs in front of my house that
14 afternoon.

15 7. Sometime late on October 21, 2008, or early on October 22, 2008, this second sign was
16 stolen. I replaced the stolen sign with the one I had intended to give to someone else. I also
17 made a second, handmade sign protesting the thefts. I displayed this handmade sign together
18 with the replacement sign for several days. A photograph that I took of the signs displayed
19 together is attached as Exhibit B.

20 8. After the second sign supporting Proposition 8 was stolen, I began bringing in the signs
21 at night, so as to prevent any further theft.

22 9. Even though after October 22, 2008, I only had the sign supporting Proposition 8 out
23 during the day, on approximately October 25, 2008, a man in his car pulled up near the sign in
24 the early evening, before I had brought the sign in. It is easy to notice when a car stops in front
25 of our house, because we live on a busy street without a parking lane, and people never stop in
26 front of our house unless they have a reason to do so.

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28 **Declaration of **REDACTED** in
Support of Plaintiffs’ Motion for
Summary Judgment**

1 10. After pulling up in front of our house, the man started to get out of his car. As he did
2 so, my wife looked at him from inside our front window, and he got back in his car and sped
3 away.

4 11. I noticed that several people on our street who had Yes on 8 signs in front of their
5 homes had taped strongly worded warnings against stealing to their Yes on 8 signs. If you look
6 at the picture in Exhibit A, you can see a yard sign supporting Proposition 8 in the yard of one of
7 my neighbors. By the time I took the second set of photos, this sign had disappeared, as you can
8 see in one of the pictures in Exhibit B.

9 12. The stealing of my yard signs made me very upset. While I do not agree with the
10 other side, I would never try to stop them from presenting their views on this issue.

11 13. I am self-employed, so I am not too worried that my support of Proposition 8 will hurt
12 me financially, although I do have some worries that if my clients hear of my support for
13 Proposition 8 that they will stop sending me work. However, if I was employed by someone else
14 or in a more public position, I would be worried that my support of Proposition 8 or a similar
15 cause could financially harm me.

16 14. If the reprisals against people who support Proposition 8 rise to the level where
17 people are physically harmed or have their property destroyed, I would be very worried about
18 supporting a cause similar to Proposition 8 in the future.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
20 AND CORRECT.

21
22 Executed on: [REDACTED]

[REDACTED]
[REDACTED]

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Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 **CERTIFICATE OF SERVICE**

2 I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My
3 business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

4 On June 3, 2009, I electronically filed the foregoing document described as Declaration of
5 John Doe #47 in Support of Plaintiffs’ Motion for Summary Judgment, with the Clerk of Court
6 using the CM/ECF system which will send notification of such filing to:

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15 Department of Elections - City and Count of San Francisco*

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Practices Commission*

18 I declare under the penalty of perjury under the laws of the State of Indiana that the above is
19 true and correct. Executed this 3rd day of June, 2009.

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21
22 /s/ Scott F. Bieniek
23 Scott F. Bieniek (Ill. State Bar No. 6295901)
24 Counsel for All Plaintiffs
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